

AMENDED IN SENATE JULY 8, 2009

AMENDED IN SENATE JUNE 22, 2009

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

## **ASSEMBLY BILL**

**No. 583**

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**Introduced by Assembly Member Hayashi**

February 25, 2009

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An act to amend Section 680 of the Business and Professions Code, relating to health care practitioners.

### LEGISLATIVE COUNSEL'S DIGEST

AB 583, as amended, Hayashi. Health care practitioners: disclosure of education and office hours.

Existing law requires a health care practitioner to disclose, while working, his or her name and practitioner's license status on a name tag in at least 18-point type or to prominently display his or her license in his or her office, except as specified.

This bill would require each of those health care practitioners to also display the type of license and, except for nurses, the highest level of academic degree he or she holds either on a name tag in at least 18-point type, in his or her office, or in writing given to patients. The bill would require a physician and surgeon, osteopathic physician and surgeon, and doctor of podiatric medicine who is certified in a medical specialty, as specified, to disclose the name of the certifying board or association either on a name tag in at least 18-point type, in writing given to the patient on the patient's first office visit, or in his or her office. The bill would require a physician and surgeon who supervises an office in addition to his or her primary practice location to conspicuously post in each office a schedule of the regular hours when he or she will be

present in that office and the office hours during which he or she will not be present. The bill would also require an office that is part of a group practice with more than one physician and surgeon to post a current schedule of the hours when a physician and surgeon is present. The bill would exempt health care practitioners working in certain licensed laboratories and health care facilities, as specified, from the requirements to disclose license type, highest level of academic degree, and name of certifying board or association providing certification in the practitioner's specialty or subspecialty.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 680 of the Business and Professions Code  
2     is amended to read:  
3     680. (a) (1) Except as otherwise provided in this section, a  
4     health care practitioner shall disclose, while working, his or her  
5     name, practitioner's license status, license type, as granted by this  
6     state, and the highest level of academic degree he or she holds, by  
7     one of the following methods:  
8     (A) On a name tag in at least 18-point type.  
9     (B) In writing to a patient at the ~~patient's~~ *patient's* initial office  
10    visit.  
11    (C) In a prominent display in his or her office.  
12    (2) If a health care practitioner or a licensed clinical social  
13    worker is working in a psychiatric setting or in a setting that is not  
14    licensed by the state, the employing entity or agency shall have  
15    the discretion to make an exception from the name tag requirement  
16    for individual safety or therapeutic concerns.  
17    (3) (A) In the interest of public safety and consumer awareness,  
18    it shall be unlawful for any person to use the title "nurse" in  
19    reference to himself or herself in any capacity, except for an  
20    individual who is a registered nurse or a licensed vocational nurse,  
21    or as otherwise provided in Section 2800. Nothing in this section  
22    shall be deemed to prohibit a certified nurse assistant from using  
23    his or her title.  
24    (B) An individual licensed under Chapter 6 (commencing with  
25    Section 2700) is not required to disclose the highest level of  
26    academic degree he or she holds.

(b) Facilities licensed by the State Department of Social Services, the State Department of Mental Health, or the State Department of Public Health shall develop and implement policies to ensure that health care practitioners providing care in those facilities are in compliance with subdivision (a). The State Department of Social Services, the State Department of Mental Health, and the State Department of Public Health shall verify through periodic inspections that the policies required pursuant to subdivision (a) have been developed and implemented by the respective licensed facilities.

(c) For purposes of this article, “health care practitioner” means any person who engages in acts that are the subject of licensure or regulation under this division or under any initiative act referred to in this division.

(d) An individual licensed under Chapter 5 (commencing with Section 2000) or under the Osteopathic Act, who is certified by (1) an American Board of Medical Specialties member board, (2) a board or association with equivalent requirements approved by that person’s medical licensing authority, or (3) a board or association with an Accreditation Council for Graduate Medical Education approved postgraduate training program that provides complete training in that specialty or subspecialty, shall disclose the name of the board or association by one of the following methods:

(1) On a name tag in at least 18-point type.

(2) In writing to a patient at the patient’s initial office visit.

(3) In a prominent display in his or her office.

(e) A physician and surgeon who supervises an office in addition to his or her primary practice location shall prominently display in each of those offices a current schedule of the regular hours when he or she is present in the respective office, and the hours during which each office is open and he or she is not present. If the office is a part of a group practice with more than one physician and surgeon, the office shall post a current schedule of the hours when a physician and surgeon is present in the office.

(f) Subdivisions (d) and (e) shall not apply to a health care practitioner working in a facility licensed under Section 1250 of

- 1 the Health and Safety Code or in a clinical laboratory licensed
- 2 under Section 1265.

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